

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

C.A. NO: 04 11975RWZ

PACIFIC INDEMNITY COMPANY,)
)
Plaintiff)
)
VS.)
)
ALFRED KEMP, Individually and d/b/a)
KEMP PLUMBING,)
)
AND)
)
MARTIN SANDBORG, Individually and)
d/b/a SANDBORG PLUMBING and)
HEATING,)
)
Defendants)

**DEFENDANT MARTIN SANDBORG, INDIVIDUALLY AND D/B/A
SANDBORG PLUMBING'S AUTOMATIC DISCLOSURE PURSUANT
TO FED. R. CIV. 26(a)(1)-(4) AND LOCAL RULE 26.2(A) AND 26.1(B)**

In compliance with Federal Procedure 26(a)(1)-(4) and Local Rule 26.2(A) and 26.1(B)(2), Defendant Martin Sandborg, Individually and d/b/a Sandborg Plumbing provides the following:

A. INDIVIDUALS LIKELY TO HAVE DISCOVERABLE INFORMATION:

1. Martin Sandborg, 93 Dartmouth Avenue, Dedham, MA.

Mr. Sandborg is a Defendant in this action and has information regarding the nature and extent of the plumbing work performed at the premises located at 254 Westfield Street, Dedham, MA, by Sandborg Plumbing and Kemp Plumbing.

2. Phillip Shields, 2 Breede Terrace, Dedham, MA.

Mr. Shields is an employee of Sandborg Plumbing and has information regarding the nature and extent of the plumbing work he performed at the premises located at 254 Westfield Street, Dedham, MA

3. Alfred Kemp, 6 Olive Avenue, Pembroke, MA.

Mr. Kemp is a Defendant in this action and has information regarding the nature and extent of the plumbing work performed at the premises located at 254 Westfield Street, Dedham, MA, by Kemp Plumbing and Sanndborg Plumbing.

4. Roger Marino, 256 Westfield Street, Dedham, MA.

It is believed Mr. Marino is the owner of 256 Westfield Street, Dedham, MA, and would have information regarding the nature and scope of the renovation of the subject property, the contractors performing work at the subject property and his inspection of the subject property during the renovation. It is believed Mr. Marino may have discovered the subject fire.

5. Robert Cullinane, 254 Westfield Street, Dedham, MA

It is believed Mr. Cullinane was the manager of the property located at 254 Westfield Street, Dedham, MA and was the individual who reported the subject fire. Mr. Cullinane may have information relating to the nature and scope of the renovation of the subject property, the contractors performing work at the subject property and his inspection of the subject property during the renovation.

6. Kraig Magnussen, 31 Hilltop Drive, Millis, MA.

It is believed Mr. Magnussen was the carpenter in charge of the renovation project. It is believed he would have information relating to the nature and scope of the renovation of the subject property, the contractors performing work at the subject property and his inspection of the subject property during the renovation.

7. Larry Dicken, 12 Granite Street, Hopkinton, MA.

It is believed Mr. Dicken installed tile at the subject property during the days before the fire.

8. Denis Boiteau, 1 Burgess Lane, Dedham, MA, Francis DesJarlais, 1803 Diamond Hill Rd, Cumberland, RI, and Timothy Johnson, 70 Temple Street, Abington, MA.

It is believed these individuals were part of a painting crew who performed work at the subject property during the days before the fire.

9. Jose Barrientos, 45 Pine Street, Pawtucket, RI

It is believed Mr. Barrientos sanded the floor of the subject property within days before the fire.

10. Steve Driscoll, address unknown.

Mr. Driscoll is a plumber who visited the subject property the day before the subject fire. It is believed Mr. Driscoll would have information relating to his observations made at the time of his visit.

11. Lt. John Fountaine, Dedham Fire Department, Dedham, MA.

Lt. Fountaine investigated the subject fire. He would have information relating to his investigation, his findings and his conclusions reached following the investigation.

12. Francis M. McGinn, Massachusetts State Fire Marshal's Office.

Mr. McGinn investigated the subject fire. He would have information relating to his investigation, his findings and his conclusions reached following the investigation.

B. POTENTIALLY RELEVANT DOCUMENTS AND THINGS:

- a. Massachusetts State Fire Marshal Fire Investigation Report;
- b. 51 Photographs taken by the Massachusetts State Fire Marshal's office;
- c. 11 Photographs taken by the Dedham Fire Department;
- d. 2 Photographs taken by David Pratt;
- e. 215 Photographs taken by GAI Engineers, Inc. representatives;
- f. Transcript of recorded statement of Martin Sandborg dated April 17, 2003 (withheld as privileged);
- g. Transcript of recorded statement of Phillip Shields dated April 17, 2003 (withheld as privileged).

C. INSURANCE:

The Commerce Insurance Company provides primary insurance to Martin Sandborg d/b/a Sandborg Plumbing and Heating pursuant to liability insurance policy

No. T76294 containing applicable limits of coverage of One Million Dollars. A copy of the declarations page will be provided to opposing counsel.

I, Stimpson B. Hubbard, attorney for the Defendant, hereby swear to the best of my knowledge and belief that the foregoing disclosure complies with Federal Rule of Civil Procedure 26(a)(1)-(4) and Local Rule 26.2(A) and 26.1(B)(2).

Respectfully submitted:

Martin Sandborg, Individually and
d/b/a Sandborg Plumbing
By his attorneys,

*FINNEGAN, UNDERWOOD,
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CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing upon all interested parties by mailing a letter, postage prepaid, containing a copy of same, directed to:

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/s/ Stimpson B. Hubbard

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DATED: January 17, 2005